October 18, 2019

Dear Sai,

Re: OSTP-FOIA 19-076

This is to acknowledge receipt of the Freedom of Information Act (hereinafter "FOIA") request(s) that you submitted to the Office of Science and Technology Policy (henceforth "OSTP") on August 5, 2019. The assigned case number and a summary of your request(s) are below:

1) OSTP-FOIA 19-076.

OSTP attempted to conduct a search on part B. of your request. However, you are asking for records that did not exist at the time of the search, therefore, this portion of your FOIA request is invalid. You are welcome to submit another FOIA request at a later point in time when the sought records exist. For reasons explained below, OSTP cannot accommodate your demand to use your specified workflow in processing this FOIA request.

Part C was described very generically so I ask that you provide more information. Please let me know the times and dates to the best of your ability of when you submitted the following. Please also include the nature of these submissions to better assist us with the search for responsive records.
   1. Complaints.
   2. FOIA requests.
   3. Appeals.
   4. Privacy Act requests.
   5. Privacy Act appeals.

Please provide further clarification on line 69. What kind of identifying information should OSTP look for that is listed below you signature?

Please provide the identifiers you referenced in line 70.

OSTP is a small agency with limited resources. If portion C of your request is boilerplate language that you are not really interested in, please let me know so I can more efficiently manage governmental resources. For reasons explained below, OSTP cannot accommodate your demand to use your specified workflow in processing this FOIA request.

The remainder of your FOIA request is not reasonably described, and not perfected at this time, for the following reasons. Since you say you're partially blind, I would be happy to discuss with you over the phone.

1. It was difficult to understand your description of the records, which appeared in multiple and distinct locations throughout your 11 page request, and was articulated in a programmatic style. Most E-discovery search engines, including the one OSTP uses, understand flat Boolean expressions. This means, in order for OSPT to conduct an E-discovery computer search, I would have to (loosely) translate

your programmatic description into flat Boolean expressions so our E-discovery engine can process it, which, if possible, may not be very accurate. Alternatively, I would have to arrange for manual search of records, which you have expressly indicated you don't want. To help me better understand your description of the records sought, please resubmit your request in either a human-readable format (or as a flat Boolean logic expression), so I can run an E-discovery search for the records sought. It would be helpful to consolidate all the parts of your request that is describing the records sought, instead of placing portions of these descriptions in various different locations throughout your request.

2. Section A. of your request is crux of my difficulty in understanding your request. In order to identify "the email" as described in line 21, I would need to identify the "person" as described in line 21. However, in order to identify the person, I would need to identify the email. **You are describing the email in terms of the person, and describing the person in terms of the email.** To identify *the email*, I would need to know *the person* it was sent to or received from. To identify *the person*, I would need to know a date range of 30 days from the time of *the email*, which is hard to do unless I first identify *the email*. While this circular description might be addressed with modern programming languages, this is a poor description of the records for a human, nor a good search term to use for E-discovery software that processes flat Boolean logic expressions.

3. You specifically asked for a native electronic format contained in the email server, rather than a converted version. OSTP's email server does not reside at OSTP. Any search result we can provide to you would be a converted version in the form of a PDF with OCR technology. Please let me know if you are still interested in these records.

4. OSTP emails prior to 1/20/2017 have been accessioned to the National Archives. Please let me know if you are still interested in these records.

5. You are demanding that OSTP follow a specific sequential workflow for processing this request. Agencies are not obligated to use a requester's workflow, particularly when the workflow will obstruct the agency's ability to comply with, track, and report statutory deadlines. Your demand would create workflow dependencies which are not contemplated in FOIA statutes. If you want portions of your FOIA to be completed in a certain order, you are welcome to bifurcate them and submit them as separate FOIA requests at different times.

6. Line 78 requires this agency to create a new record.

7. The portion of your FOIA request starting on line 73 "For all responsive records…" is basically a programming FOR structure. Again, I would need to translate this to a flat Boolean expression, after combining together this section of your description of the records with the other sections of your description of the records. Please rephrase into a human readable format.

8. Lines 80-85 is a series of IF statements that appears to be directed at a relational database manager. OSTP, and likely most other agencies, interfaces with an E-discovery software, rather than directly querying a relational database when conducting a search for records. Please rephrase into a human readable format.

9. In line 87-88 you used the technical meaning of "Related database records" and used technical terms like "recursive," "foreign key," and "schema" to describe the records sought. Same concerns as paragraph 8 above. Please rephrase into a human readable format.

You have requested accommodations under the Rehab Act. Please provide supporting documentation of your disability. Acceptable documentation include:

-Statements or letters on a physician's/medical professional's letterhead stationery.
-Statements, records or letters from a Federal Government agency that issues or provides disability benefits.
-Statements, records or letters from a State Vocational Rehabilitation Agency counselor.
-Certification from a private Vocational Rehabilitation or other Counselor that issues or provides disability benefits.

You have requested special requester status for fee determinations. In order to verify your identity and evaluate this request, please provide a signed copy of this request on your organizational letterhead (Fiat Fiendum). For your convenience, you may simply email this to me in a PDF file.
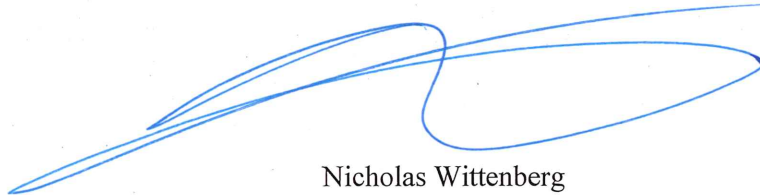
You have requested a fee waiver. Adjudication for the fee waiver will occur if/when fees become applicable.

I am the FOIA Public Liaison and you may contact me with questions regarding your cases. You may also contact the Office of Government Information Services (hereafter "OGIS") for assistance with FOIA. OGIS may be reached at:

Office of Government Information Services
National Archives and Records Administration
Room 2510
8601 Adelphi Road
College Park, MD 20740-6001

Email: ogis@nara.gov
Phone: 301-837-1996
Fax: 301-837-0348
Toll-free: 1-877-684-6448

Sincerely,

Nicholas Wittenberg
Legal Counsel